

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- v. -

NICOLAE DANIEL PEPY,  
ALEXANDRU RADULESCU,  
a/k/a "Levi Vantz"  
ALEXANDRU IORDACHE,  
ROBERT DUCZON,  
DAN MIRICA,  
CLAUDIU COSTINEL MIHAI,  
DAVID GEORGESCU,  
a/k/a "Old Man,"  
ANDREI RAZVAN RUSU,  
CLAUDIU VADUVA, and  
GABRIEL ORZANICA,

Defendants.

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SEALED SUPERSEDING  
INDICTMENT

S4 19 Cr. 651

COUNT ONE

**(Conspiracy to Commit Access Device Fraud)**

The Grand Jury charges:

1. From at least in or about 2014 until at least in or about September 2019, in the Southern District of New York and elsewhere, NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit access device fraud, in violation of Title 18, United

States Code, Sections 1029(a)(1), (a)(2), (a)(3), (a)(4), and (a)(5).

2. It was a part and an object of the conspiracy that NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce, would and did produce, use, and traffic in one and more counterfeit access devices, in violation of Title 18, United States Code, Section 1029(a)(1).

3. It was further a part and an object of the conspiracy that NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown, knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce, would and did traffic in and use one and more access devices during a one-year period, and by such conduct obtained more than \$1,000 during that period, in violation of Title 18, United States Code, Section 1029(a)(2).

4. It was further a part and an object of the conspiracy that NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown, knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce, would and did possess fifteen and more devices which were counterfeit and unauthorized access devices, in violation of Title 18, United States Code, Section 1029(a)(3).

5. It was further a part and an object of the conspiracy that NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown, knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce, would and did produce, traffic in, have custody and control of, and possess device-making equipment, in violation of Title 18, United States Code, Section 1029(a)(4).

6. It was further a part and an object of the conspiracy that NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN

RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown, knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce, would and did effect transactions with one and more access devices issued to another person or persons, to receive payment and other things of value during a one-year period the aggregate value of which was equal to and greater than \$1,000, in violation of Title 18, United States Code, Section 1029(a)(5).

OVERT ACTS

7. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

- a. Between on or about August 5 and on or about August 7, 2017, NICOLAE DANIEL PEPY, the defendant, used fraudulent debit cards to withdraw cash from victim accountholders' credit union accounts using ATMs in or around Pittsburgh, Pennsylvania.
- b. On or about March 11, 2017, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," the defendant, installed a skimming device on an ATM in or around New York, New York.
- c. Between on or about May 20, 2017 and on or about May 21, 2017, ALEXANDRU IORDACHE, the defendant, used fraudulent

debit cards to withdraw cash from victim accountholders' credit union accounts using ATMs in or around New York, New York.

d. Between on or about July 1, 2017 and on or about July 2, 2017, ROBERT DUCZON, the defendant, used fraudulent debit cards to withdraw cash from victim accountholders' bank accounts using ATMs in or around Boston, Massachusetts and Revere, Massachusetts.

e. On or about December 30, 2017, DAN MIRICA, the defendant, participated in the installation or removal of a skimming device on an ATM in or around New York, New York.

f. Between on or about April 15, 2018 and on or about April 17, 2018, CLAUDIU COSTINEL MIHAI, the defendant, used fraudulent debit cards to withdraw cash from victim accountholders' bank accounts using ATMs in or around Chattanooga, Tennessee.

g. On or about August 6, 2018, DAVID GEORGESCU, a/k/a "Old Man," the defendant, discussed, during a telephone call with a co-conspirator, perpetrating the scheme by having the co-conspirator assist with the assembly of skimming devices.

h. On or about February 18, 2017, ANDREI RAZVAN RUSU, the defendant, installed a skimming device on an ATM in or around New York, New York.

i. On or about February 18, 2017, CLAUDIU VADUVA, the defendant, installed a skimming device on an ATM in or around New York, New York.

j. Between on or about August 1, 2016 and on or about August 2, 2016, GABRIEL ORZANICA, the defendant, used fraudulent debit cards to withdraw cash from victim accountholders' bank accounts using ATMs in or around Providence, Rhode Island.

(Title 18, United States Code, Section 1029(b)(2).)

**COUNT TWO**  
**(Conspiracy to Commit Wire Fraud and Bank Fraud)**

The Grand Jury further charges:

8. The allegations contained in paragraph 7 above are hereby repeated, realleged, and incorporated by reference as if fully set forth herein.

9. From at least in or about 2014 until at least in or about September 2019, in the Southern District of New York and elsewhere, NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code,



Section 1343, and bank fraud, in violation of Title 18, United States Code, Section 1344.

10. It was a part and object of the conspiracy that NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

11. It was further a part and object of the conspiracy that NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown, willfully and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured

by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

(Title 18, United States Code, Section 1349.)

**COUNT THREE**  
**(Aggravated Identity Theft)**

The Grand Jury further charges:

12. The allegations contained in paragraph 7 above are hereby repeated, realleged, and incorporated by reference as if fully set forth herein.

13. From at least in or about 2014 until at least in or about September 2019, in the Southern District of New York and elsewhere, NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, and others known and unknown, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), and aided and abetted the same, to wit, the defendants, among



other things, engaged in ATM skimming to unlawfully obtain debit card information for victim accountholders (including, but not limited to, the victim accountholders' names, debit card numbers, and personal identification numbers), created fraudulent debit cards using the stolen victim information, and then used the fraudulent debit cards bearing the victim accountholders' debit card numbers to make millions of dollars in unauthorized withdrawals from the victims accountholders' bank accounts, all during and in relation to the conspiracy to commit access device fraud charged in Count One of this Indictment and the conspiracy to commit wire fraud and bank fraud charged in Count Two of this Indictment.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

**COUNT FOUR**  
**(Bank Fraud)**

The Grand Jury further charges:

14. From at least in or about May 20, 2017 through in or about May 21, 2017, in the Southern District of New York and elsewhere, ALEXANDRU IORDACHE, the defendant, and others, known and unknown, willfully and knowingly did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the National Credit Union Share Insurance Fund, and to obtain moneys, funds, credits, assets, securities, and other property

owned by, and under the custody and control of, such financial institution by means of false and fraudulent pretenses, representations, and promises, to wit, IORDACHE used fraudulent debit cards to withdraw cash from victim accountholders' credit union accounts using ATMs in or around New York, New York.

(Title 18, United States Code, Sections 1344 and 2.)

**COUNT FIVE**  
**(Access Device Fraud)**

The Grand Jury further charges:

15. From at least in or about May 20, 2017, up to and including at least May 21, 2017, in the Southern District of New York and elsewhere, ALEXANDRU IORDACHE, the defendant, knowingly and with intent to defraud, as part of an offense affecting interstate and foreign commerce, attempted to and did produce, use, and traffic in one and more counterfeit access devices, to wit, IORDACHE used fraudulent debit cards to withdraw money from credit union accounts using ATMs in or around New York, New York.

(Title 18, United States Code, Sections 1029(a)(1), (b)(1), and 2.)

**COUNT SIX**  
**(Access Device Fraud)**

The Grand Jury further charges:

16. On or about March 11, 2017, in the Southern District of New York and elsewhere, ALEXANDRU RADULESCU, a/k/a "Levi

Vantz," the defendant, knowingly and with intent to defraud, as part of an offense affecting interstate and foreign commerce, attempted to and did produce, traffic in, have control and custody of, and possess device-making equipment, as that term is defined in Title 18, United States Code, Section 1029(e)(6), to wit, RADULESCU had control and custody of, and possessed, a skimming device that he installed an ATM in or around in New York, New York.

(Title 18, United States Code, Sections 1029(a)(4),  
(b)(1), and 2.)

**COUNT SEVEN**  
**(Access Device Fraud)**

The Grand Jury further charges:

17. From at least on or about December 30, 2017, up to and including on or about January 12, 2018, in the Southern District of New York and elsewhere, DAN MIRICA, the defendant, knowingly and with intent to defraud, as part of an offense affecting interstate and foreign commerce, attempted to and did produce, traffic in, have control and custody of, and possess device-making equipment, as that term is defined in Title 18, United States Code, Section 1029(e)(6), to wit, MIRICA had control and custody of, and possessed, skimming devices that he installed on and removed from ATMs in

or around New York, New York.

(Title 18, United States Code, Sections 1029(a)(4),  
(b)(1), and 2.)

**COUNT EIGHT**  
**(Access Device Fraud)**

The Grand Jury further charges:

18. On or about February 18, 2017, in the Southern District of New York and elsewhere, ANDREI RAZVAN RUSU and CLAUDIU VADUVA, the defendants, knowingly and with intent to defraud, as part of an offense affecting interstate and foreign commerce, attempted to and did produce, traffic in, have control and custody of, and possess device-making equipment, as that term is defined in Title 18, United States Code, Section 1029(e)(6), to wit, RUSU and VADUVA had control and custody of, and possessed, skimming devices that they installed on ATMs in or around New York, New York.

(Title 18, United States Code, Sections 1029(a)(4), (b)(1)  
and 2.)

**FORFEITURE ALLEGATIONS**

19. As a result of committing the offenses alleged in Count One and Counts Five through Eight of this Indictment, NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, shall

forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C), any and all property constituting or derived from, proceeds obtained directly or indirectly, as a result of the commission of said offenses, and any and all personal property used or intended to be used to commit said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses that the defendants personally obtained.

20. As a result of committing the offenses alleged in Counts Two and Four of this Indictment, NICOLAE DANIEL PEPY, ALEXANDRU RADULESCU, a/k/a "Levi Vantz," ALEXANDRU IORDACHE, ROBERT DUCZON, DAN MIRICA, CLAUDIU COSTINEL MIHAI, DAVID GEORGESCU, a/k/a "Old Man," ANDREI RAZVAN RUSU, CLAUDIU VADUVA, and GABRIEL ORZANICA, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(2)(A), any and all property, constituting, or derived from, proceeds obtained directly or indirectly as a result of the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses that the defendants personally obtained.

Substitute Assets Provision

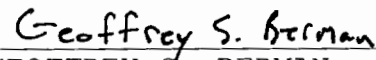
21. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981, 982, and 1029; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)

  
Foreperson

  
GEOFFREY S. BERMAN  
United States Attorney



Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

NICOLAE DANIEL PEPY, et al.,

Defendants.

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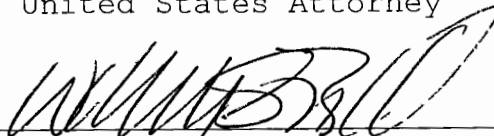
SEALED INDICTMENT

S4 19 Cr. \_\_\_\_\_

(18 U.S.C. §§ 1028A(a)(1), 1028A(b),  
1029(a)(1), 1029(a)(4), 1029(b)(1),  
1029(b)(2), 1344, 1349, and 2.)

GEOFFREY S. BERMAN

United States Attorney

  
Foreperson

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9/9/19 Filed indictment concerning issues  
COTJ, USMJ